

NOV 08 2013

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIUS CHRISTOPHER CLAYTOR,)	CASE NO. 7:13CV00518
)	
v.)	
)	
UNITED STATES OF AMERICA.)	
)	
UNITED STATES OF AMERICA,)	CASE NO. 7:05CR00007
)	
v.)	<u>FINAL ORDER</u>
)	
JULIUS CHRISTOPHER CLAYTOR,)	By: James C. Turk
)	Senior United States District Judge
Defendant.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. The "PETITION FOR RELIEF PURSUANT TO THE ALL WRITS ACT UNDER 28 U.S.C. § 1651" (ECF No. 1 in Case No. 7:13CV00518), which the court docketed as a separate civil action for administrative purposes only, is **DISMISSED** and stricken from the active docket;
2. The petition is also **CONSTRUED** as a motion to vacate, set aside or correct the sentence under 28 U.S.C. § 2255, and the Clerk is **DIRECTED** to redocket the petition (ECF No. 1 in Case No. 7:13CV00518) as a § 2255 motion in Case No. 7:05-cr-00007;
3. The § 2255 motion is hereby **DISMISSED** without prejudice as successive and is **STRICKEN** from the active docket of the court; and
4. A Certificate of Appealability is **DENIED**.

ENTER: This 8th day of November, 2013.


Senior United States District Judge